

Paul Balen

## **Mediation Profile 2009**

Building on his creation of successful alternative dispute settlement schemes in his historical specialist area of clinical negligence, personal injury and product liability Paul has developed into a successful commercial mediator. Out of his more recent involvement in commercial mediations his personal litigation practice has expanded into the commercial and professional negligence arenas with marked success. He frequently adopts mediation as the route to resolution of his own cases.

As a Chairman of a private company and of Governors of a public school he is able to marry inter personal skills with business and legal acumen often devising unique practical strategies to resolve deadlocks. Comfortable with media attention as a result of the high profile cases with which he has been involved as a litigator he brings these communication skills into the mediation room, making the parties at once relaxed yet alert to the opportunities for resolution that mediation brings with it.

Since qualifying as a mediator in 2004 Paul has conducted a wide variety of mediations involving contract, construction, personal injury and professional disputes.

### **Professional Background**

Paul graduated from Cambridge University with a first in law before joining Freeth Cartwright LLP where he qualified in 1977 becoming a partner in 1980. He is a Past President of the Nottinghamshire Law Society having been Secretary between 1983 and 1988 and was a legal eagle on Radio Nottingham for over 20 years. He writes extensively and regularly lectures on legal topics and in 2000 was appointed one of the first 3 Senior Fellows of the Association of Personal Injury Law (APIL). He is a past President of the Nottinghamshire Medico-Legal Society and was national secretary and an executive committee member of APIL between 1998 and 2000. He is legal advisor to Nottinghamshire County Cricket Club and has advised international sportsmen from a variety of sports. He was recently invited to lecture at an international conference on global dispute resolution.

### **Endorsements**

Paul is described in Chambers 2008/09 as “like a dog with a bone” when given a difficult case. “He’s incredibly clever and hard-working and he gets results,” “He is particularly commended for his strategic thinking”. He "knows what's what," say commentators. He is famed for his "extremely professional" demeanour and his "sensible approach to cases".

Described as 'a good all-rounder'. He is rated as “one of the most highly rated practitioners in the country”.

*"Just wanted to thank you for your mediation yesterday. I have to confess I have hitherto been slightly sceptical of the value of mediation, working on the basis that 2 reasonable counsel could thrash out most issues.*

*I have to say I was very impressed with the way you conducted matters and would be the first to concede that I very much doubt the claim would have settled but for your input."*

### **Mediation experience**

Paul has mediated a wide variety of disputes including:

- Contractual dispute between driving school and ex-instructor;
- Commercial dispute over faulty servicing of laser cutting machine and counterclaim for loss due to downtime
- Computer software contract dispute
- Commercial dispute arising from installation of alleged faulty boiler
- Construction contract dispute between supplier of timber frames and builder with counterclaim
- Personal injury following assault
- Employment dispute/dismissal of director
- Professional negligence dispute between householder, architect and builder
- Share valuation dispute between directors and former director/shareholder
- Postgraduate student in dispute with University over degree award
- construction industrial injury dispute between main contractor and builder
- Contract dispute between power supplier and commercial consumer
- Professional negligence dispute between solicitor and client
- Building costs dispute between contractor and sub-contractor.
- Road traffic multiple injury claim

### **Mediation organisations:**

Paul is an ADR Group registered mediator; and a member of the following specialist panels and mediation organisations:

Sports Resolutions

Association of Midlands Mediators

Clerksroom;

Trust Mediation

Effective Dispute Resolutions Ltd.

## **Other Experience**

Paul combines his legal career with the Chairmanship of his son's technology company and Chairmanship of the governors at Nottingham High School, an independent public school which is shortly to celebrate its 500<sup>th</sup> anniversary. A past Nottingham Roosevelt scholar himself he recently handed over Chairmanship of the scholarship trust to the Lord Lieutenant of Nottinghamshire.

